IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE A.GOPAL REDDY
and
THE HON'BLE MR JUSTICE P.SWAROOP REDDY

TAKEN UP WRIT PETITION NO : 20271 of 2007

DATE:08.10.2007

Between:

Kuppili Sridevi

..... PETITIONER

AND

1. The Station House Officer, Santhakaviti police Station, Srikakulam District, and another.

.....RESPONDENTS

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ORAL ORDER: (per Hon'ble Sri Justice A. Gopal Reddy)

The telegram, dated 19.09.2007 sent by the wife of the alleged detenu, namely, Kuppili Sridevi, alleging that the Sub-Inspector of Police along with five Constables of Santhakaviti Police Station, Srikakulam District, took away her husband on 17.09.2007 from the house situated at Talada village, and till date he was not produced before any Court, and hence apprehending danger to the life of her husband, was taken up as writ petition and issued notices to the respondents.

In response to the notice, the Sub-Inspector of Police, Santhakaviti Police Station, the first respondent herein, filed counter affidavit denying the allegations made in the telegram, stating that the alleged detenu is an accused in Crime No.77 of 2007 for the offence under Section 379 IPC and Crime No.80 of 2007 for the offence under Section 457 and 380 IPC of Ramabhadrapuram Police Station, Vizianagaram District, registered on 19.09.2007 basing on the complaints given by the complainants therein stating that some unknown persons committed thefts in their houses. During the course of investigation in connection with the above crimes, the Ramabhadrapuram Police effected arrest of the alleged detenu on 23.09.2007 at about 19 hours, and produced him before the Judicial First Class Magistrate, Salur on 24.09.2007 and on such production the learned Magistrate remanded the alleged detenu to judicial custody. The alleged detenu is now lodged at Sub-Jail, Salur. The petitioner with a mala fide intention got issued the present telegram to draw adverse inference against the first respondent police. It is also stated that the alleged detenu is a suspect in various crimes registered against him, according to Suspect Sheet No.27/Santhakaviti Police

Station, which is maintained from 21.09.2001 onwards.

In view of the fact that the alleged detenu was arrested in connection with Crime Nos.77 and 80 of 2007 of Ramabhadrapuram Police Station and was remanded to the judicial custody and he is now lodged in Sub-Jail, Salur, the allegation made in the telegram that the alleged detenu was illegally detained, cannot be accepted.

Accordingly, the Writ Petition is dismissed at the admission stage.

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(A. GOPAL REDDY, J.)

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(P. SWAROOP REDDY, J.)

8th October, 2007
Js.